IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.16873 of 2008
PANKAJ KUMAR
Versus
STATE OF BIHAR

05/ 06.08.2008 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner is an accused for offences punishable under sections 302/34 of the Penal Code as well as section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is neither named in the first information report nor any overt act has been alleged against him nor he is said to have been armed with any weapon. He further submits that there is no material at all to connect the petitioner with the alleged occurrence and only material is his own confessional statement that he was the driver of the vehicle (Scorpio) and the occurrence, as per the materials on record, had taken place all of a sudden on account of some scuffle, which took place at the gate of the Irrigation Bhawan between other persons, in which the petitioner was not involved. He also submits that the petitioner has got no criminal antecedent and he is in custody since 31.01.2008.

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In the facts and circumstances of the case, this petition for bail is allowed. Accordingly, let the sole petitioner, namely, Pankaj Kumar be admitted to bail on executing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Patna, in connection with Gardanibagh P.S. Case No. 16 of 2008.

MPS/ **(S. N. Hussain, J.)**